

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3019
)	
v.)	
)	
SATAR ABD ALKAFAJI,)	
KHALAT JAMALTHAEAL ALAMA and)	REPORT AND RECOMMENDATION
TERESA MARIE JONES,)	AND
)	ORDER
Defendants.)	

At the conclusion of the hearing this date on defendant Khalat Jamalthaeal Alama's motion to suppress evidence, I stated my conclusions on the record and my decision to recommend that the motion to suppress be granted. My conclusion is that a reasonable officer in the situation described by the evidence would not consider it to be exigent circumstances justifying a forced entry. In accordance with that announcement,

IT HEREBY IS RECOMMENDED to the Honorable Richard G. Kopf, United States District Judge, that the motion to suppress, filing 56, be granted in all respects.

FURTHER, IT HEREBY IS ORDERED,

1. The clerk shall cause an expedited transcript of the hearing to be prepared and filed.

2. Counsel are given ten days from the date the transcript is available to counsel for reading in the clerk's office in which to file objections to this recommendation. The parties are notified that failure to object may be held to be a waiver of the right to appeal the district judge's adoption of the recommendation.

3. Trial of this matter as to all defendants is set to commence at 9:00 a.m., October 3, 2005 at 9:00 a.m., before the

Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

Dated August 31, 2005.

BY THE COURT

s/ *David L. Piester*

United States Magistrate Judge